DOCUMENT RESUME

ED 092 036 HE 005 597

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TITLE Special Report #6. Developing Trends in Content of Collective Bargaining Contracts in Higher Education.
INSTITUTION Academic Collective Bargaining Information Service, Washington, D.C.
SPONS AGENCY American Association of State Colleges and Universities, Washington, D.C.; Association of American Colleges, Washington, D.C.; Carnegie Corp. of New York, N.Y.; National Association of State Universities and Land Grant Colleges, Washington, D.C.
PUB DATE 74
NOTE 16p.

EDRS PRICE MF-$0.75 HC-$1.50 PLUS POSTAGE
DESCRIPTORS *Collective Bargaining; *Collective Negotiation; *Contracts; *Higher Education; *Negotiation Agreements

ABSTRACT

The growth in the number of higher education collective bargaining contracts continues at a rapid pace, although it is taking longer for the initial contract to be negotiated. The data on 131 contracts covering 215 institutions is included in the statistical tables in this document. Collective bargaining has increased in the West and at least one bargaining unit has been organized in the South, but over 80 percent of all contracts are in the Midwest and Northeast. Another development is the continued rise of the types of items included in contracts. Tables 2 through 10 list the frequency of items in at least five contracts by institutional level. (Author/PG)

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SPECIAL REPORT #6

DEVELOPING TRENDS IN CONTENT OF COLLECTIVE BARGAINING CONTRACTS IN HIGHER EDUCATION*

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The growth in the number of higher education collective bargaining contracts continues at a rapid pace although it is taking longer for the initial contract to be negotiated. The data on 131 contracts covering 215 institutions is included in the accompanying tables. Ten additional contracts covering 38 institutions were received after the data were tabulated. In a study of them, no significant differences were found.

TABLE 1

DATA BASE

	1971	1972	1973
Total Contracts Requested**	78	174	211
No Contract Negotiated	7	35	65
Negotiating contract	11	24	46
No Reply	14	25	6
Contracts Received	46	90	94
Multi year Contr. Cont. in Force***	0	11	37
Contracts used in Analysis	46	101	131
System contr. included analysis	3	6	7
Institutions covered in analysis	64	167	215
Faculty members covered in analysis	22428	58524	52113****
Contracts received after analysis	2	4	10 with 17908 faculty

* This paper is based on data contained in Higher Education Collective Bargaining Contract Content - 1973 by Harold Goodwin and John Andes. The report is available from the West Virginia University Bookstore. The opinions expressed in this paper are those of the author.

** Every known institution that might have had a contract was contacted. The master list was made with the assistance of American Association of University Professors, American Federation of Teachers, National Educational Association and the Chronicle of Higher Education

*** These contracts were received in a previous year, are valid for two or more years and are included in the data for all valid years.

**** The drop is due to the delay in negotiating a contract at CUNY.

In a previous analysis (1) the content was analyzed by collective bargaining agents...AAUP, AFT, NEA. With few exceptions no significant differences were found, and as many AFT and NEA units have merged in New York, it was decided to conduct the analysis by level of institution... university, college, community college. The analysis includes 12 university contracts, 21 college contracts and 98 community college contracts.

Collective bargaining has increased in the West and at least one bargaining unit has been organized in the South, but over eighty per cent of all contracts are in the Midwest and Northeast. AAUP has increased its number of contracts primarily at the university level while AFT and NEA still represent over eighty per cent of all bargained contracts. Membership in the bargaining units seems to have settled with the unit including librarians, counselors, and full-time faculty and excluding administrators at all levels. The one major area of membership conflict is that of the department chairman who is included in many contracts, excluded in many others. Another development is the continued rise in the types of items included in contracts. Tables 2 through 10 list the frequency of items, in at least five contracts, by institutional level. In interpreting the last column, be aware that 74.8 per cent of the contracts analyzed are for community colleges.

TABLE 2

CONTRACTS MANAGEMENT ITEMS IN 1973 CONTRACTS
BY INSTITUTIONAL LEVEL

Items*	Univ.	Col.	Comm. Col.	Total	CC as a Per cent of Total
Duration of Contract	12	21	98	131	75
Recognition of C. B. Agent	12	21	94	127	74
Statement of Intent	12	19	89	120	74
Conformity to Law	10	16	74	100	74
Reopening of Negotiations	9	15	56	80	70
Distribution of Agreements	2	3	49	54	91
Supercedes all Policies	5	7	28	40	70
Terms and Definitions	4	7	28	39	72
Amendment of Contract	5	4	26	35	74
Procedure for C. B.	1	3	18	22	82
Mediation			8	8	100

* Items appearing in five or more 1973 contracts.

TABLE 3

GOVERNANCE ITEMS IN 1973 CONTRACTS*
BY INSTITUTIONAL LEVEL

Items	Univ.	Col.	Comm. Col.	Total	CC as a Per cent of Total
Personnel Policy	12	20	93	125	74
Grievance Procedure	11	20	89	120	74
Management Rights & Resp.	7	16	75	98	77
Personnel Evaluation	5	14	68	87	78
No Discrimination	9	12	57	78	73
Personnel Files	4	9	64	77	83
Procedure for Scheduling	6	11	58	75	77
Promotion Policy	6	14	50	70	71
Committees	4	9	54	67	81
Staff Reduction	4	12	50	66	76
Administrators Selection	5	10	36	51	71
*Pers., Pro., Promotion Dis.	2	3	44	49	90
*Pro. Stand. & Practices	1	1	46	48	96
*N. Course/N. Prog/Curr.	1	5	41	47	87
Seniority	5	8	33	46	72
Mainten. of Benefits,Rights	8	11	25	44	57
Transfer Policy	3	4	19	36	53
Faculty Governance	4	10	22	36	61
Fac. Hdbk/By Laws/Policies	1	5	25	31	81
Faculty Meetings	1	5	20	26	77
Administrators Duties	2	5	19	26	73
Administrator Salary	1	4	17	22	77
Disc. Action: Fac. Members	2	2	11	18	61
Fac. Mem. who Become Admin.		2	16	18	89
Proc. for Class Cancellation		4	12	16	75
*Tenure Review		3	11	14	79
*Evaluation		3	9	12	75
Administrator Removal	1	4	6	11	55
*Steering/Com. on Comm.		3	6	9	67
*Long Range Planning		1	8	9	89
Senate	2	2	5	9	55
Keys	1	3	4	8	50
Faculty Planning	1		6	7	86
*Student Affairs		1	6	7	86
*Academic		1	5	6	83
*Budget & Fiscal	1	2	3	6	50
*Calendar		1	5	6	83
*Facilities		1	5	6	83
Administrative Change		1	5	6	83
Pub, Dev. Rts, Copyw, Pat.			6	6	100

* Committees were not separated by titles in previous years.

TABLE 4

ACADEMIC ITEMS IN 1973 CONTRACTS
BY INSTITUTIONAL LEVEL

Item	Univ.	Col.	Comm. Col.	Total	CC as a Per cent Of Total
Workload	9	19	87	115	76
Teaching Load	8	17	83	108	77
Appointment	10	20	78	108	72
Reappointment	9	20	78	107	72
Dismissal	10	18	71	99	72
Non-reappointment	8	18	72	98	73
Non-Teaching Resp.	7	18	70	95	74
Overload	3	11	75	89	84
Academic Freedom	6	14	68	88	77
Summer School	3	10	71	84	85
Class Size	5	12	59	76	78
Evening/Sat. Classes	5	8	59	72	82
Tenure	8	15	41	64	64
Office Hours	1	5	55	61	90
Faculty Rights	4	6	49	59	83
Preparations	2	9	46	57	81
Standards - Academic Rank	3	7	44	54	81
Work Year	1	9	38	48	79
Work Day	1	5	41	47	87
Faculty Responsibilities	4	7	34	45	76
Work Week	1	6	37	44	84
Professional Improvement	1	5	32	38	84
Temporary - Part time	1	6	21	28	75
Substitute Teachers	1	2	16	19	84
Short Courses	1	3	15	19	79
Course Development		2	15	17	88
Classroom environment		2	13	15	87
Innovations		2	12	14	86
Textbook Selection		1	13	14	93
Resignation		1	12	13	92
Code of Ethics		1	8	9	89
Complaints		1	7	8	88
Percentages - Academic Rank		1	6	7	86
Rank Equivalencies		2	4	6	67
Rank Study			6	6	100
Special Programs	1	1	3	5	60
Certification			5	5	100

TABLE 5

ECONOMIC BENEFITS IN 1973 CONTRACTS
BY INSTITUTIONAL LEVEL

Item	Univ.	Col.	Comm. Col.	Total	CC as a Per cent Of Total
Salary/Schedule	9	18	87	114	76
Extra Duty Compensation	3	16	78	97	80
Travel	4	10	57	71	80
Retirement Program(s)	6	12	48	66	73
Faculty Tuition Remission	5	7	30	42	71
Family Tuition Remission	4	9	24	37	65
Funds for Pro. Development	1	7	24	32	75
Pay Period	1	1	22	24	92
Cost of Phys. Exam.	5	2	14	21	67
Percentage Increases	3	5	9	17	53
Professional Awards/Merit Pay	6	3	5	14	36
Termination Pay	1	1	8	10	80
Cost of Living	1		7	8	88
Wage Price Freeze	1	3	4	7	57
Funds for Pro. Publications	1		5	6	83
Bank Deposit		2	4	6	67
Credit Union			6	6	100
College Finances Activities		2	3	5	60

TABLE 6

INSURANCE BENEFITS IN 1973 CONTRACTS
BY INSTITUTIONAL LEVEL

Item	Univ.	Col.	Comm. Col.	Total	CC as a Per cent Of Total
Hospital/Surgical	7	20	82	109	72
Life	6	15	53	74	72
Major Medical	5	12	55	72	76
Disability	7	10	28	45	62
Liability	1	2	23	26	88
Workman's Compensation	2	7	16	25	64
Tax Shelter	2	5	17	24	71
Accidental Health	1	4	11	16	69
Travel	2	1	12	15	80
Dental	1	1	11	13	85
Social Security	2	3	5	10	50
Income Protection		1	4	5	80
Drugs			5	5	100

TABLE 7

LEAVE BENEFITS IN 1973 CONTRACTS
BY INSTITUTIONAL LEVEL

Item	Univ.	Col.	Comm. Col.	Total	CC as a Per cent Of Total
Sick	7	18	87	112	78
Sabbatical	8	17	80	105	76
Maternity	6	13	79	98	81
No Pay	6	15	68	89	76
Personal	1	9	58	68	85
Government	2	10	55	67	82
Bereavement		9	55	64	86
Court Required	2	7	53	62	85
Professional	3	6	51	60	85
Exchange Teaching		3	36	39	92
C. B. Organization	1	6	31	38	82
Annual	4	2	21	27	78
Emergency		2	14	16	88
Research	3	3	9	15	60
Special		2	10	12	83
Family Illness			12	12	100
Travel		2	7	9	78
Disability	2		7	9	78
Industrial			6	6	100
Graduation		1	4	5	80

TABLE 8

WORKING CONDITION ITEMS IN 1973 CONTRACTS
BY INSTITUTIONAL LEVEL

Item	Univ.	Col.	Comm. Col.	Total	CC as a Per cent Of Total
Payroll Deduction	9	18	88	101	87
Calendar	4	5	62	71	87
No Strike	9	14	38	61	62
Job Postings	3	6	45	54	83
Faculty Office	4	6	34	44	77
Parking Facilities	3	5	29	37	78
Holidays	3	4	30	37	81
Individual Contracts	2	6	24	36	67
Clerical Assistance	2	4	24	31	77
No Lock-Out	5	9	14	28	50
Outside Employment	2	6	17	25	68
Faculty Lounge	1	3	21	25	84
Safety and Health	1	0	20	21	95
Faculty Dining Room	1	3	8	12	67
Medical Service Available	1	3	7	11	64
Academic Regalia			10	10	100
Bookstore		4	6	10	60
Assault on Instructors		2	4	6	67

TABLE 9

BARGAINING AGENTS RIGHTS ITEMS IN 1973 CONTRACTS
BY INSTITUTIONAL LEVEL

Item	Univ.	Col.	Comm. Col.	Total	CC as a Per cent Of Total
C. B. Agent Rights	9	18	82	109	75
Bulletin Boards	7	14	57	78	73
Meeting Space	7	11	58	76	76
Campus Mail	6	12	49	67	73
Available Information	3	10	47	60	78
Right to Organize	3	8	43	54	80
Office Equipment Use	2	9	42	53	79
Reduced time for BU leaders	5	6	31	42	74
Office Space	6	6	26	38	68
Right to advise Board/Adm.	1	3	34	38	89
Agenda & minutes Board	2	5	27	34	79
Right to Represent Faculty	2	8	23	33	70
Fiscal records and Reports	2	2	28	32	88
Participation in Grievance	2	4	23	29	79
List of faculty/positions	4	4	21	29	72
Right to place items on Bd. Ag.	1	3	20	24	83
Attendance at Board Meetings		3	20	23	87
Use of telephone	2	3	12	17	71
Off-campus Act. by BU leader	2	1	9	12	75
Appoint to Committee	1	2	8	11	73
BU Liability			8	8	100
Right to meet new fac. members	1	1	6	8	75
Consultation on Forms			5	5	100
Right to wear Insignia			5	5	100

TABLE 10

APPENDIX ITEMS IN 1973 CONTRACTS
BY INSTITUTIONAL LEVEL

Item*	Univ.	Col.	Comm. Col.	Total	CC as a Per cent of Total
Salary Schedule (Faculty)	1	3	49	53	92
Academic Calendar	1	2	25	28	89
Academic Freedom		2	17	19	89
Extra Duty Pay	1	1	13	15	87
Grievance Forms			15	15	100
Faculty Contracts			12	12	100
Faculty Load Formula	1	0	9	10	90
Dues Check Off Form	1	2	5	8	63
Standards for Sal. Placement		1	6	7	86
Personnel Policies	1	0	6	7	86
Faculty on Tenure (list)	1	1	4	6	67
Salary Schedule (Admin.)	1	1	3	5	60
Fringe Benefit Schedule		1	4	5	80

* Items appearing in five or more 1973 contracts.

Some items are almost exclusively community college...Professional standards and practices committee (Table 3). Other items are normally found in college or university contracts...Professional Awards/Merit Pay (Table 5) and rarely in community college contracts.

This is the third year of the study of higher education collective bargaining contract content at West Virginia University. During these three years several trends can be identified. The most obvious is the increase in the number of items that are bargained. Current contracts are significantly longer and contain a wider range of items. Early contracts tended to form more on economic benefits and some working conditions. The 1973 contracts have far more items in the areas of governance and academic affairs. The internal content of these items reflects the growing faculty concern and militancy in these areas. Another trend is in the development of a new area of analysis: Rights of Bargaining Agent (see Table 9). The frequency of most of these items was so low that they were not included in the 1971 and 1972 reports.

TABLE 11

CONTRACT MANAGEMENT ITEMS BY YEAR

Items*	1971	1972	1973
Duration of Contract	46	101	131
Recognition of C. B. Agent	45	101	127
Statement of Interest	46	101	120
Conformity to Law	41	87	100
Reopening of Negotiations	18	84	80
Distribution of Agreements	5	34	54
Supercedes all Policies			40
Terms and Definitions	12	35	39
Amendments to Contracts			35
Procedure for C. B.	1	12	22
Mediation			8

* Items appearing in five or more 1973 contracts.

TABLE 12

GOVERNANCE ITEMS BY YEAR*

Item	1971	1972	1973
Personnel Policy	39	81	125
Grievance Procedure	42	92	120
Management Rights & Responsibilities	31	79	98
Personnel Evaluation	26	76	87
No Discrimination	20	53	78
Personnel Files	36	60	77
Procedure of Scheduling	10	39	75
Promotion Policy	37	61	70
Committees	5	32	67
Staff Reduction	7	39	66
Administrators Selection	36	60	51
*Personnel, Professional, Promotion Dismissal			49
*Professional Standards and Practices	2	15	48
*New Courses/New Programs/Curriculum			47
Seniority		19	46
Maintenance of Benefits, Rights	4	28	44
Transfer Policy	13	39	36
Faculty Governance	11	27	36
Faculty Handbook/By Laws/Policies		19	31
Faculty Meetings	2	15	26
Administrators Duties		16	26
Administrator Salary		8	22
Disciplinary Action: Faculty Members	2	10	18
Faculty Members Who Become Administrators		10	18
Procedure for Class Cancellation		6	16
*Tenure Review			14
*Evaluation			12
Administrator Removal		1	11
*Steering/Com. on Comm.			9
*Long Range Planning			9
Senate			9
Keys			8
Faculty Planning			7
*Student Affairs			7
*Academic			6
*Budget & Fiscal	0	3	6
*Calendar			6
*Facilities			6
Administrative Change	2	4	6
Publication, Development Rights, Copyw., Pat.		10	6

* Committees were not separated by title in previous years.

TABLE 13

ACADEMIC ITEMS BY YEAR

Item	1971	1972	1973
Workload	41	90	115
Teaching Load	41	89	108
Appointment	36	101	108
Reappointment	36	101	107
Dismissal	32	80	99
Non-reappointment	32	80	98
Non-Teaching Responsibilities	33	86	95
Overload	12	67	89
Academic Freedom	28	67	88
Summer School	23	67	84
Class Size	26	43	76
Evening/Saturday Classes	23	67	72
Tenure	23	40	64
Office Hours		26	61
Faculty Rights	26	51	59
Preparations		31	57
Standards - Academic Rank	14	48	54
Work Year		20	48
Work Day		19	47
Faculty Responsibilities	16	45	45
Work Week		14	44
Professional Improvement		19	38
Temporary - Part time			28
Substitute Teachers		10	19
Short Courses		3	19
Course Development			17
Classroom Environment		23	15
Innovations		12	14
Textbook Selection			14
Resignation			13
Code of Ethics		5	9
Complaints			8
Percentages - Academic Rank	2	7	7
Rank Equivalencies		3	6
Rank Study		1	6
Special Programs		3	5
Certification		5	5

TABLE 14

ECONOMIC BENEFITS BY YEAR

Item	1971	1972	1973
Salary/Schedule	46	98	114
Extra Duty Compensation	24	48	97
Travel	20	38	71
Retirement Program(s)	24	53	66
Faculty Tuition Remission	19	42	42
Family Tuition Remission	10	30	37
Funds for Professional Development		19	32
Pay Period			24
Cost of Physical Examination	3	17	21
Percentage Increases	3	15	17
Professional Awards/Merit Pay	4	6	14
Termination Pay		6	10
Cost of Living	2	6	8
Wage Price Freeze		5	7
Funds for Professional Publications		3	6
Bank Deposit			6
Credit Union			6
College Financed Activities			5

TABLE 15

INSURANCE BENEFITS BY YEAR

Item	1971	1972	1973
Hospital/Surgical	27	79	109
Life	21	48	74
Major Medical	10	69	72
Disability	9	25	45
Liability	12	24	26
Workman's Compensation	7	16	25
Tax Shelter		19	24
Accidental Death	5	8	16
Travel		9	15
Dental	5	11	13
Social Security		3	10
Income Protection		8	5
Drugs		2	5

TABLE 16

LEAVE BENEFITS BY YEAR

Item	1971	1972	1973
Sick	37	88	112
Sabbatical	24	82	105
Maternity	29	68	98
No Pay	28	64	89
Personal	23	58	68
Government	23	52	67
Bereavement	13	46	64
Court Required	24	49	62
Professional	17	50	60
Exchange Teaching	13	23	39
C. B. Organization	13	21	38
Annual	3	13	27
Emergency	4	9	16
Research		2	15
Special	3	11	12
Family Illness			12
Travel			9
Disability			9
Industrial	4	5	6
Graduation	1	4	5

TABLE 17

WORKING CONDITION ITEMS BY YEAR

Item	1971	1972	1973
Payroll Deduction	20	57	101
Calendar	29	61	71
No Strike	21	51	61
Job Postings	10	41	54
Faculty Office		38	44
Parking Facilities	9	27	37
Holidays		22	37
Individual Contracts			36
Clerical Assistance	12	25	31
No Lock-out	10	20	28
Outside Employment	3	15	25
Faculty Lounge		20	25
Safety and Health	6	12	21
Faculty Dining Room		8	12
Medical Service Available		4	11
Academic Regalia		1	10
Bookstore			10
Assault on Instructors		1	6

In addition to the items listed in the tables over one hundred additional items were found in one to four contracts. These may represent some trends but they are too low in frequency of inclusion to speculate.

Several items declined in frequency but a drop in one year is not sufficient to project a trend. It is possible to draw one conclusion: the content of contracts is not universally defined or developed. This is not unexpected as the first contract in higher education was not in effect until the middle 1960's, and only in 1972 did as many as one hundred contracts exist.

This period of development makes it crucial that administrative bargaining teams prepare their positions for negotiation with an understanding of the consequences of continuing to broaden the scope of negotiations.

Footnotes

1. John Andes and Harold I. Goodwin. "Emerging Trends in Faculty Collective Bargaining Agreements", Studies in Management. June, 1972. National Association of College and University Business Officers.

2. Harold Goodwin and John Andes. Collective Bargaining in Higher Education: Contract Content - 1972. West Virginia University.